

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SIK-SOO-KSIS-TSEE-KOO
BULLSHOE,

Defendant.

CR 16-78-GF-BMM-JTJ

**FINDINGS AND
RECOMMENDATIONS**

I. Synopsis

Defendant Sik-Soo-Ksis-Tsee-Koo Bullshoe (Bullshoe) has been accused of violating the conditions of his supervised release. Bullshoe admitted all of the alleged violations. Bullshoe's supervised release should be revoked. Bullshoe should be placed in custody until 12:00 p.m. (noon) on January 17, 2023, with 35 months of supervised release to follow. Bullshoe should serve the first 60 days of his supervised release in Connections Corrections in Butte, Montana.

II. Status

Bullshoe pleaded guilty to Manslaughter on January 5, 2017. (Doc. 19). The Court sentenced Bullshoe to 50 months of custody, followed by 3 years of supervised release. (Doc. 27). Bullshoe's current term of supervised release

began on February 23, 2021. (Doc. 33 at 1).

Petition

The United States Probation Office filed a Petition on December 16, 2022, requesting that the Court revoke Bullshoe's supervised release. (Doc. 33). The Petition alleged that Bullshoe had violated the conditions of his supervised release: 1) by failing to report for substance abuse testing on six separate occasions; 2) by using methamphetamine; 3) by consuming alcohol; 4) by failing to report for substance abuse treatment on four separate occasions; and 5) by failing to successfully complete his substance abuse treatment program.

Initial appearance

Bullshoe appeared before the undersigned for his initial appearance on January 10, 2023. Bullshoe was represented by counsel. Bullshoe stated that he had read the petition and that he understood the allegations. Bullshoe waived his right to a preliminary hearing. The parties consented to proceed with the revocation hearing before the undersigned.

Revocation hearing

The Court conducted a revocation hearing on January 10, 2023. Bullshoe admitted that he had violated the conditions of his supervised release: 1) by failing to report for substance abuse testing on six separate occasions; 2) by using

methamphetamine; 3) by consuming alcohol; 4) by failing to report for substance abuse treatment on four separate occasions; and 5) by failing to successfully complete his substance abuse treatment program. The violations are serious and warrant revocation of Bullshoe's supervised release.

Bullshoe's violations are Grade C violations. Bullshoe's criminal history category is I. Bullshoe's underlying offense is a Class C felony. Bullshoe could be incarcerated for up to 24 months. Bullshoe could be ordered to remain on supervised release for up to 36 months, less any custody time imposed. The United States Sentencing Guidelines call for a term of custody of 3 to 9 months.

III. Analysis

Bullshoe's supervised release should be revoked. Bullshoe should be incarcerated until 12:00 p.m. (noon) on January 17, 2023, with 35 months of supervised release to follow. This sentence is sufficient but not greater than necessary. Bullshoe should serve the first 60 days of his supervised release at Connections Corrections in Butte, Montana.

IV. Conclusion

The Court informed Bullshoe that the above sentence would be recommended to Chief United States District Judge Brian Morris. The Court also informed Bullshoe of his right to object to these Findings and Recommendations

within 14 days of their issuance. The Court explained to Bullshoe that Judge Morris would consider a timely objection before making a final determination on whether to revoke his supervised release and what, if any, sanction to impose. Bullshoe stated that he wished to waive his right to object to these Findings and Recommendations, and that he wished to waive his right to allocute before Judge Morris.

The Court **FINDS:**

That Sik-Soo-Ksis-Tsee-Koo Bullshoe violated the conditions of his supervised release: by failing to report for substance abuse testing on six separate occasions; by using methamphetamine; by consuming alcohol; by failing to report for substance abuse treatment on four separate occasions; and by failing to successfully complete his substance abuse treatment program.

The Court **RECOMMENDS:**

That the District Court revoke Bullshoe's supervised release and commit Bullshoe to the custody of the United States Bureau of Prisons until 12:00 p.m. (noon) on January 17, 2023, with 35 months of supervised release to follow. Bullshoe should serve the first 60 days of his supervised release in Connections Corrections in Butte, Montana.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO OBJECT**

The parties may serve and file written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. § 636(b)(1). A United States district court judge will

make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district court judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district court judge, and may waive the right to appear and allocute before a district court judge.

DATED this 11th day of January, 2023.



John Johnston
United States Magistrate Judge